

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

GREEN PARTY OF TENNESSEE and)
CONSTITUTION PARTY OF)
TENNESSEE,)

Plaintiffs,)

v.)

TRE HARGETT, in his official capacity)
as Tennessee Secretary of State, and)
MARK GOINS, in his official capacity as)
Coordinator of Elections for the State of)
Tennessee,)

Defendants.)

Case No. 3:13-cv-1128

Chief Judge Haynes

O R D E R

In accordance with the Memorandum filed herewith, Plaintiffs' motions for summary judgment (Docket Entry Nos. 18 and 19) are **GRANTED** and the Defendants' motion for partial summary judgment is **DENIED**. Plaintiffs Green Party of Tennessee and Constitution Party of Tennessee are **AWARDED** a judgment that as applied to Plaintiffs, Tenn. Code Ann. §§ 2-1-104(a)(24), 2-1-104(a)(31) and 2-13-107(f) are unconstitutional as violations of Plaintiffs' rights under the First and Fourteenth Amendment to create and develop their political parties and as a violation of Plaintiffs' rights under the Equal Protection Clause of the Fourteenth Amendment to equal access to the ballot as afforded major political parties. Plaintiffs are further **AWARDED** a judgment that Tenn. Code Ann. § 2-1-114 is unconstitutional as a violation of Plaintiffs' rights to free speech under the First Amendment

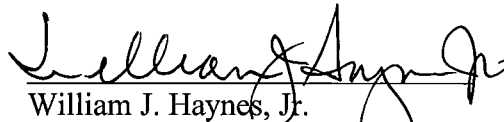
Accordingly, the Defendants are **ORDERED** to grant Plaintiffs ballot access for their

candidates with the respective party names, for elections for at least three calendar years from the November 2012 election

It is so **ORDERED**.

This is the Final Order in this action.

Entered this the 14th day of March, 2014



William J. Haynes, Jr.
Chief United States District Judge